



March 29, 2023

Mr. Shane LaFave
Roers Companies
110 Cheshire Lane, Suite 120
Minnetonka, MN 55305
Via Email Only shane@roerscompanies.com

Subject: Technical Assistance Provided – Review of Additional Commissioning Plan
Community Within the Corridor – West Block
3212 W. Center Street, 2727 N. 32nd Street, & 2758 N. 33rd Street, Milwaukee, WI
BRRTS #02-41-587376, FID #341333190

Dear Mr. LaFave:

On March 2, 2023, the Wisconsin Department of Natural Resources (DNR) received *Proposed Additional Vapor Mitigation System Commissioning Plan* (the Report), dated February 17, 2023, prepared by K. Singh and Associates, Inc. (K. Singh) on behalf of Community Within the Corridor, Limited Partnership, for the site identified above. The Report was submitted with a technical assistance request fee of \$700 for DNR review and written response. The DNR reviewed the Report for regulatory compliance with Wisconsin Administrative (Wis. Admin.) Code series NR 700, and has determined that the commissioning plan, as presented in the Report, cannot be approved at this time.

Report Summary

The Report presented the following plan for additional vapor mitigation system (VMS) commissioning for Buildings 6, 7, 8A, and 8B at the site, which assumes that the results from the proposed indoor air sampling outlined below are less than the applicable residential vapor action levels (VALs):

1. Perform passive indoor air sampling in February 2023 at sample locations where residential VAL exceedances were identified during the second commissioning round (IA-8A-01B, IA-6-01A, IA-7-01A, and IA-8B-01B).
2. Submit the above sample results to the DNR in March 2023.
3. Perform passive indoor air sampling at sample locations IA-6-01A, IA-7-01A, and IA-8B-01B in May 2023.
4. Submit a report to the DNR in June 2023 that documents the commissioning findings.

On March 8, 2023, K. Singh informed the DNR during a phone call that step one sampling has already been completed and that the next commissioning round will likely occur in April 2023 instead of May 2023. K. Singh informed the DNR in the March 8, 2023, phone call that there were no VAL exceedances identified during step one sampling. The DNR has not yet received the sample results collected during step one sampling. Furthermore, during the March 8, 2023, phone call, K. Singh indicated that the first round of commissioning for Buildings 4 and 5 at the site was completed in January/February 2023 and that occupancy for these buildings is scheduled for April/May 2023. It is the DNR's understanding that Buildings 4 and 5 will primarily be used for commercial purposes, aside from the day care center in Building 4 which is considered a residential setting, per Wis. Admin

Code NR § 700.03(49g). The DNR has not yet received the sample results for the first round of commissioning for Buildings 4 and 5.

Report Review

The DNR provides the following feedback for the commissioning plan:

1. Per Wis. Admin. Code § NR 726.13(1)(b), the DNR may not close a case if the remaining level of contamination is likely to cause a VAL in indoor air to be attained or exceeded. Further, per Wis. Admin. Code § NR 722.09(2)(d), where a discharge of volatile hazardous substances has occurred, such as trichloroethylene (TCE), one of the contaminants of concern at the site, the vapor intrusion pathway shall be evaluated to determine the likelihood of those substances entering the breathing space of a structure. To demonstrate these administrative code requirements are met, all indoor air sample locations throughout Buildings 6, 7, 8A, and 8B (IA-6-01A to IA-8B-02D) should be re-sampled using passive samplers, as the previous commissioning rounds detected TCE just below the residential VAL at several sample locations.
2. Per Wis. Admin. Code § NR 724.13(1)(d), all pressure field extension (PFE) points (SVP-1 to SVP-16) should be re-measured concurrently with the additional passive indoor air sampling. It appears that, over the first three rounds of commissioning, the PFE results have generally diminished in magnitude and are now approaching the minimum recommended differential negative pressure of 0.004 inches H₂O.
3. Concerning the VMS commissioning of Buildings 4 and 5, if there are any indoor air VAL exceedances identified in the first round, or any subsequent rounds of commissioning, there could be acute human health risks present in the site buildings. The proposed schedule for occupancy should consider these health risks and potential modifications that may be needed to the VMS and/or the site buildings prior to occupancy to help to ensure that the buildings are safe for occupants. Continue to keep the DNR updated in a timely manner on the occupancy schedule as development of these buildings progresses.
4. Concurrent commissioning information for all site buildings is necessary to understand site conditions. All future commissioning events should include all site buildings unless otherwise directed by the DNR.

Next Steps

In consideration of administrative code requirements, the DNR is requesting the implementation of the following schedule:

- The DNR recommends that the feedback provided in this letter be implemented into the commissioning round scheduled for April 2023.
- Per Wis. Admin. Code § NR 716.14, submit all sampling results within 10 days (on appropriately formatted tables) of receiving laboratory data. Immediate notification of results upon receipt is justified under Wis. Admin. Code §§ NR 708.05 and 714.07 when the building is occupied and there is exposure to an acute (immediate) health risk (e.g., TCE is present above the VAL and women of child-bearing age are present).

The DNR appreciates the actions you are taking to restore the environment at this site. If you have any questions concerning the site or this letter, please contact me at (414) 435-8021, or by email at

jane.pfeiffer@wisconsin.gov.

Sincerely,



Jane K. Pfeiffer
Project Manager – Hydrogeologist
Remediation & Redevelopment Program

Community Within the Corridor – West Block
3212 W Center St., 2727 N 32nd St., & 2758 N 33rd St., Milwaukee, WI
BRRTS #02-41-587376

Page 3

cc: Mr. Que El-Amin, Scott Crawford, Inc. – que@scott-crawford.com
Mr. Robert Reineke, K. Singh & Associates, Inc. – reineke@ksinghengineering.com
Dr. Pratap N. Singh, K Singh & Associates, Inc. – psingh@ksinghengineering.com